

**OFFICIAL AGENDA**  
**TUESDAY January 5, 2021**  
**Meeting Start Time: 9:30 a.m.**  
**Board of County Commissioners**  
**Yellowstone County, Montana**  
**Stillwater Building**  
**316 N. 26th Street, Room 3108**  
**Billings, MT**  
**9:00 a.m. Agenda Setting**

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Pledge to the Flag: Moment of Silence: Minutes

**REGULAR AGENDA**

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**MEETING UPDATE**

In response to recent public health concerns surrounding COVID-19, Board of County Commissioner meetings will be held in a different format. Meetings may include virtual video conferencing to comply with social distancing guidelines.

In an effort to honor your right to participate and allow for public comment we have set up a conference call line.

**Please dial(406) 256-2724 Conference ID 277 749 960#**

The public may comment during the specific public comment periods listed on the agenda. Please have your phone set to "mute" until the public comment period is open.

The B.O.C.C. regular meeting will be televised live on Community 7 TV. (Channel 7 or 507 on Spectrum Cable) Community 7 TV may be accessed and viewed online at [www.comm7tv.com](http://www.comm7tv.com).

If you have questions please contact the B.O.C.C. office at (406) 256-2701 or the Clerk and Recorder at (406) 256-2787.

**PUBLIC COMMENTS ON REGULAR AGENDA ITEMS**

**1. COMMISSIONERS**

Appointment of New Board Chairman for 2021 through 2022

**2. FINANCE**

Resolution 21-03 of Intent to Change the Boundary for Unbenefitted Parcels in RSID 752M

**PUBLIC COMMENTS ON CONSENT AGENDA ITEMS**

**CLAIMS**

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**CONSENT AGENDA**

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**1. FINANCE**

- a. Public Works/Junk Vehicle Request for a Phone Upgrade for Manager Junk Vehicle/Code Enforcement
- b. Sheriff's Office Recommendation of Award to Yellowstone Valley Animal Shelter for Small Animal Boarding Services.
- c. VAWA Grant Signature Page

**2. PUBLIC WORKS**

Request to Extend Abandonment Deadline of Carter Avenue for 1 Year

**3. HUMAN RESOURCES**

**PERSONNEL ACTION REPORT - Sheriff's Office** - 1 Termination; **County Attorney** - 1 Appointment, 1 Termination

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**FILE ITEMS**

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**1. COUNTY ATTORNEY**

Release and Settlement of All Claims

**PUBLIC COMMENTS ON COUNTY BUSINESS**

**B.O.C.C. Regular**

Agenda Item 1.

**Meeting Date:** 01/05/2021

**Title:** Appointment of New Board Chairman for 2021 through 2022

**Submitted By:** Erica Wiley

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**TOPIC:**

Appointment of New Board Chairman for 2021 through 2022

**BACKGROUND:**

n/a

**RECOMMENDED ACTION:**

approve

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**B.O.C.C. Regular**

Agenda Item 2.

**Meeting Date:** 01/05/2021

**Title:** Resolution of Intent to Change Boundary RSID 752M

**Submitted For:** Jennifer Jones

**Submitted By:** Jennifer Jones

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**TOPIC:**

Resolution 21-03 of Intent to Change the Boundary for Unbenefitted Parcels in RSID 752M

**BACKGROUND:**

N/A

**RECOMMENDED ACTION:**

Approve

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**Attachments**

752M

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## **RESOLUTION NO. 21-03**

### **RESOLUTION OF INTENT TO CHANGE BOUNDARY RURAL SPECIAL IMPROVEMENT MAINTENANCE DISTRICT #752M (EMERALD HILLS SUB- FOREST HILLS DR)**

WHEREAS, pursuant to §7-12-2161(4), MCA, the Commissioners have the power of changing, by resolution, the boundaries of any maintenance district not more than once a year; and

WHEREAS the boundaries of RSID #752M have not been changed within the last year; and

WHEREAS, it has been determined that properties adjacent to the existing Rural Special Improvement District #752M boundaries are not benefited properties accessing the district roads; and

WHEREAS, the non-benefited property status requires the change of boundaries for RSID #752M for the maintenance of streets within the district; and

WHEREAS, the boundaries of the district will be changed to exclude tax codes C17227, C17228, C17229, D06536 and D06539A Yellowstone County, Montana, described in Exhibit B; and

WHEREAS, lots to be excluded from the district and boundaries of the district are shown in Exhibit A (map).

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Yellowstone County, Montana, deeming the public interest or convenience require, intends to change the boundary of the following described Rural Special Improvement Maintenance District:

1. **DESCRIPTION OF IMPROVEMENTS, DESCRIPTION OF MAINTENANCE, METHOD OF ASSESSMENT AND ESTIMATED COSTS.** Assessments collected on behalf of this district are used for the maintenance of road located within the boundaries of this district. All of the costs of the district are assessed on an equal per lot method for existing and future lots. Assessments will be established annually by the Board of County Commissioners and are subject to adjustment due to cost fluctuations related to maintenance utilization levels and changes in material and labor costs of performing necessary maintenance.
2. **DURATION.** The district is deemed to be perpetual in nature unless absorbed and replaced by another district or municipality.
3. **HEARING.** A hearing on the intention to change the boundary of the district shall be held on Tuesday, March 2, 2021, at 9:30 a.m., in the Commissioners' Board Room 3108 of the Stillwater Building located at 316 North 26th Street, Billings, Montana. Written protests may be mailed to: Clerk & Recorder's Office, PO Box 35001, Billings, MT 59107. All protests shall be received by 5:00 p.m., Monday, March 1, 2021.

PASSED AND ADOPTED by the Board of County Commissioners of Yellowstone County, Montana, this 5<sup>th</sup> day of January, 2021.

BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

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Donald Jones, Chairman

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John Ostlund, Member

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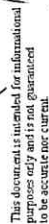
Denis Pitman, Member

(SEAL)  
ATTEST:

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Jeff Martin, Clerk & Recorder  
Yellowstone County, Montana

## EXHIBIT A



# EXHIBIT B

Tax ID	Owner Name	Address	City	ST	Zip	Legal Description
1 C04358	EILER, DARWIN	820 PETRIFIED TREE PASS	BILLINGS	MT	59101-7232	EMERALD HILLS SUBD, S23, T01 N, R27 E, BLOCK 6, Lot 11B1, AMND 11-B
2 C04360	OLSON, JOSEPH D &	509 8TH AVE SW	SIDNEY	MT	59270-3833	EMERALD HILLS SUBD, S26, T01 N, R27 E, BLOCK 6, Lot 11C1 - 12A, (17)
3 C04361	HAGEN, DANITA	5555 FOREST HILLS DR	BILLINGS	MT	59101-7207	EMERALD HILLS SUBD, S26, T01 N, R27 E, BLOCK 6, Lot 12B - 12D
4 C04363	BENNETT, GREGORY L	5529 FOREST HILLS DR	BILLINGS	MT	59101-7207	EMERALD HILLS SUBD, S26, T01 N, R27 E, BLOCK 6, Lot 13, ACRES 4.639,
5 C04363A	ZOANNI, MAVIS	5511 FOREST HILLS DR	BILLINGS	MT	59101-7207	EMERALD HILLS SUBD, S27, T01 N, R27 E, BLOCK 6, Lot 14
6 C04364	BIORDAHL, ROBERT D	5483 FOREST HILLS DR	BILLINGS	MT	59101-7208	EMERALD HILLS SUBD, S27, T01 N, R27 E, BLOCK 6, Lot 15
7 C04365	BIORDAHL, ROBERT D & COURTNEY L	5455 FOREST HILLS DR	BILLINGS	MT	59101-7208	EMERALD HILLS SUBD, S27, T01 N, R27 E, BLOCK 6, Lot 16
8 C04366	PETERSON, JOSHUA A	5415 FOREST HILLS DR	BILLINGS	MT	59101-7208	EMERALD HILLS SUBD, S22, T01 N, R27 E, BLOCK 6, Lot 17
9 C04366A	WRIGHT, CURTIS T	5403 FOREST HILLS DR	BILLINGS	MT	59101-7208	EMERALD HILLS SUBD, S22, T01 N, R27 E, BLOCK 6, Lot 18
10 C04367A	ZIESKE FAMILY REVOCABLE TRUST	5147 FOREST HILLS DR	BILLINGS	MT	59101-7211	EMERALD HILLS SUBD, S22, T01 N, R27 E, BLOCK 6, Lot 21A
11 C04368	GIBBS, JOHN W & SHANNON J	5225 FOREST HILLS DR	BILLINGS	MT	59101-7210	EMERALD HILLS SUBD, S22, T01 N, R27 E, BLOCK 6, Lot 21B1, AMD LT 21B BLK 6 (09)
12 C04374	WILKERSON ROBERT L	5044 FOREST HILLS DR	BILLINGS	MT	59101-7212	EMERALD HILLS SUBD, S22, T01 N, R27 E, BLOCK 8, Lot 3
13 C04386	BIORDAHL, ROBERT &	5483 FOREST HILLS DR	BILLINGS	MT	59101-7208	EMERALD HILLS SUBD, S27, T01 N, R27 E, BLOCK 9, Lot 12
14 C04387	JERKE, MARGIE J	5484 FOREST HILLS DR	BILLINGS	MT	59101-7208	EMERALD HILLS SUBD, S27, T01 N, R27 E, BLOCK 9, Lot 13
15 C04390	CUSAK, JONATHAN W & JENNIFER R	5522 FOREST HILLS DR	BILLINGS	MT	59101-7207	EMERALD HILLS SUB, BLOCK 9, Lot 16,
16 D06521	VAVROSKY, DARRELL A & KRISTI J	5300 FOREST HILLS DR	BILLINGS	MT	59101-7248	EMERALD FOREST SUB (08), S22, T01 N, R27 E, BLOCK 1, Lot 1
17 D06521A	SANDERS, PRESTON & JILL	5434 FOREST HILLS DR	BILLINGS	MT	59101-7208	EMERALD FOREST SUB (08), S22, T01 N, R27 E, BLOCK 2, Lot 1
18 D06521B	WALDO, WARD E & DANA M &	5335 FOREST HILLS DR	BILLINGS	MT	59101-7248	EMERALD FOREST SUB (08), S22, T01 N, R27 E, BLOCK 2, Lot 2
19 D06521C	LUPTON, ROBERT	PO BOX 4267	PAHRUMP	NV	89041-4267	EMERALD FOREST SUB (08), S22, T01 N, R27 E, BLOCK 2, Lot 3
20 D06521D	YOUNG, ROBERT & JUSTYNE	5155 ALKALI CREEK RD	BILLINGS	MT	59106-9557	EMERALD FOREST SUB (08), S22, T01 N, R27 E, BLOCK 2, Lot 4B, AMD (09)
21 D06544	MARLER, GREGORY L & EMMYLOU D	5350 FOREST HILLS DR	BILLINGS	MT	59101-7248	S27, T01 N, R27 E, NWNE
<b>To be removed from the existing RSID</b>						
C17227	J&V PROPERTIES LLP	825 AHOY AVE	BILLINGS	MT	59105-2523	EUBANK SUBD (20), S26, T01 N, R27 E, Lot 1
C17228	MARTINZ, SHAUN MARIE	635 VISTA RIDGE TRAIL	BILLINGS	MT	59101	EUBANK SUBD (20), S26, T01 N, R27 E, Lot 2, 2017 MID COUNTRY WESTLAND TITLE: AA4358625
C17229	J&V PROPERTIES LLP	825 AHOY AVE	BILLINGS	MT	59105-2523	EUBANK SUBD (20), S26, T01 N, R27 E, Lot 3
D06536	J&V PROPERTIES LLP	825 AHOY AVE	BILLINGS	MT	59105-2523	S26, T01 N, R27 E, C.O.S. 3654, PARCEL 1, REMAINDER RD (20)
D06539A	SPERRY FAMILY TRUST	5825 OLD MONTANA RD	BILLINGS	MT	59101-7240	S26, T01 N, R27 E, C.O.S. 2376, PARCEL 1, & CS 3654 TR 2 (18)

**B.O.C.C. Regular**

Agenda Item 1. a.

**Meeting Date:** 01/05/2021

**Title:** Public Work/Junk Vehicle-Phone Upgrade for Manager J.V. / Code Enforcement

**Submitted For:** James Matteson, Purchasing Agent

**Submitted By:** James Matteson, Purchasing Agent

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**TOPIC:**

Public Works/Junk Vehicle Request for a Phone Upgrade for Manager Junk Vehicle/Code Enforcement

**BACKGROUND:**

The Public Works/Junk Vehicle Department is requesting Commissioner approval to upgrade the Manager J.V./Code Enforcement to a smartphone. All new smart devices are required to have Commissioner approval. The cost of a smartphone will be \$100.00 or less and is approximately \$26.00 per month more than the standard phone that is in service. The purchase was not anticipated however there are sufficient funds within Junk Vehicle telephone budget (2830.000.414.430800.345) to facilitate the upgrade.

**RECOMMENDED ACTION:**

Approve the request and return a copy to Finance.

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**Attachments**

P.W. Junk Vehicle RTE-Smart Phone

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# Yellowstone County

## Request to Expend

This form is to be completed for all Capital outlay requests ( a single item costing \$500.00 or more or a useful life of at least one year). Please attach all pertinent paperwork with price quotes, if available, and forward to the Purchasing Department with a completed Requisition. The Account Code numbers and budget balance lines must be completed by the requesting Department. Please use the most recent budget report to obtain this information. This date will be verified by the Finance Department. If the item(s) to be purchased are over the budgeted amount or were not budgeted, Commissioner approval is required prior to placing the order.

Item(s) Requested:

Upgrade standard phone to smart phone

Cost: \$100.00

Other Costs: upgrade to data plan +26.00 x 12 mo. = \$312.00

Less Trade-in / Discount

Net Cost of Request \$412.00

Explanation of Purchase

New security camera system @ Junk Vehicle that sends real time security issues directly to a smart phone.

Department

Elected Official or Department Manager

Budget Information

COMMISSIONER ACTION

Account Numbers: 2830.000.414.430800.345

Approved: YES \_\_\_ NO \_\_\_

Budget Balance: \$4488.00

Tabled: \_\_\_\_\_

Is this a budgeted item? No

Date: \_\_\_\_\_

Finance Note:

Votes: YES NO

Chairperson \_\_\_\_\_

Member \_\_\_\_\_

Member \_\_\_\_\_

JAMES MATTESON

12/28/2020

Purchasing Agent

Date

## James Matteson

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**From:** Tim Miller  
**Sent:** Monday, December 28, 2020 1:48 PM  
**To:** James Matteson  
**Subject:** RE:

James  
I approve of Mike Schieno's request to upgrade to an Apple I phone.  
Thank you

*Tim Miller  
Yellowstone County Public Works Director / Floodplain Administrator  
Phone 406-256-2735  
Po Box 35024  
Billings Mt 59107*

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**From:** James Matteson <jmatteson@co.yellowstone.mt.gov>  
**Sent:** Monday, December 28, 2020 1:43 PM  
**To:** Tim Miller <tmiller@co.yellowstone.mt.gov>  
**Subject:** FW:

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**From:** Mike Schieno <mschieno@co.yellowstone.mt.gov>  
**Sent:** Monday, December 28, 2020 12:30 PM  
**To:** James Matteson <jmatteson@co.yellowstone.mt.gov>  
**Subject:**

James,  
I would like to order the apple I phone. I received new security cameras for the county junk yard. This would enable me to get an app. To allow me to receive a notice on a smart phone if somebody breaks into the yard. I believe this would help with some of the break ins. The phone price that you quoted me for the apple I phone was \$ 100.00.  
Thanks for your help.  
Mike Schieno

**B.O.C.C. Regular**

Agenda Item 1. b.

**Meeting Date:** 01/05/2021

**Title:** Sheriff's Office -Recommendation of Award - Small Animal Boarding-  
Yellowstone Valley Animal Shelter

**Submitted For:** James Matteson, Purchasing Agent

**Submitted By:** James Matteson, Purchasing Agent

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**TOPIC:**

Sheriff's Office Recommendation of Award to Yellowstone Valley Animal Shelter for Small Animal Boarding Services.

**BACKGROUND:**

On December 15th, 2020, a Request For Proposals was released for Small Animal Boarding Services. Proposals were received until 5:00 p.m. on December 28th, 2020. One proposal was received and acknowledged on December 29th, 2020, and referred to staff for recommendation. The Sheriff's Office reviewed the submittal by Yellowstone Valley Animal Shelter and is recommending a contract be awarded to Yellowstone Valley Animal Shelter.

**RECOMMENDED ACTION:**

Approve the Recommendation, proceed to contract and return a copy to Finance.

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**Attachments**

Sheriff's Office Recommendation of Award Small Animal Boarding  
Proposal Small Animal Boarding

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## James Matteson

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**From:** Mike Linder  
**Sent:** Wednesday, December 30, 2020 8:33 AM  
**To:** Sam Bofto; Kent O'Donnell  
**Cc:** James Matteson; Kevan Bryan  
**Subject:** Re: Animal Boarding

I would recommend we move forward and sign a one-year contract with YVAS.

Over the past 7 or 8 years we have been fortunate to keep our animal control costs to a minimum. Reducing the number of animal control officers from 2 to 1, and using local connections to provide boarding services has saved us a considerable amount of money over these years. Obviously, the number of people or businesses available to provide the services we require, have dwindled over the years. Quite frankly, the amount YVAS is asking is less than what the City was asking when they were running the shelter. What YVAS is asking is reasonable and I feel it would be in our best interest to accept their proposal.

Sheriff Mike Linder  
Yellowstone County Sheriff's Office  
2323 2nd Ave. North  
Billings, MT. 59101

406-256-2929  
[mlinder@co.yellowstone.mt.gov](mailto:mlinder@co.yellowstone.mt.gov)

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**From:** Sam Bofto <[sbofto@co.yellowstone.mt.gov](mailto:sbofto@co.yellowstone.mt.gov)>  
**Sent:** Wednesday, December 30, 2020 7:04 AM  
**To:** Kent O'Donnell <[kodonnell@co.yellowstone.mt.gov](mailto:kodonnell@co.yellowstone.mt.gov)>; Mike Linder <[mlinder@co.yellowstone.mt.gov](mailto:mlinder@co.yellowstone.mt.gov)>  
**Subject:** RE: Animal Boarding

Looks complete to me

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**From:** Kent O'Donnell <[kodonnell@co.yellowstone.mt.gov](mailto:kodonnell@co.yellowstone.mt.gov)>  
**Sent:** Wednesday, December 30, 2020 6:51 AM  
**To:** Mike Linder <[mlinder@co.yellowstone.mt.gov](mailto:mlinder@co.yellowstone.mt.gov)>; Sam Bofto <[sbofto@co.yellowstone.mt.gov](mailto:sbofto@co.yellowstone.mt.gov)>  
**Subject:** FW: Animal Boarding

If you can look this over and I'd like to move forward

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**From:** James Matteson <[jmatteson@co.yellowstone.mt.gov](mailto:jmatteson@co.yellowstone.mt.gov)>  
**Sent:** Tuesday, December 29, 2020 3:39 PM  
**To:** Kent O'Donnell <[kodonnell@co.yellowstone.mt.gov](mailto:kodonnell@co.yellowstone.mt.gov)>  
**Subject:** RE: Animal Boarding

**YELLOWSTONE COUNTY BID TABULATION FORM**

<b>Department: Sheriff's Office</b>	<b>Date: December 29, 2020</b>
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**Date: December 29, 2020**

**Project: Small Animal Boarding**

[illegible]

Comment

**RFP SMALL ANIMAL BOARDING SERVICES**  
**Yellowstone Valley Animal Shelter**

**December 2020**

**RFP SMALL ANIMAL BOARDING  
YELLOWSTONE VALLEY ANIMAL SHELTER  
DECEMBER 2020**

The Yellowstone Valley Animal Shelter is submitting this proposal to the Yellowstone County Board of County Commissioners for Small Animal Boarding Services. Yellowstone Valley Animal Shelter (YVAS) has provided animal sheltering, boarding, and adoption services to the City of Billings for 11 years. Please see the following fees and qualifications for Boarding Services.

**Fees:**

For the services provided in the Scope of Work, Yellowstone County shall pay an annual fee of \$18,000 for the first year of the contracted services. Payment shall be made in equal monthly installments upon invoicing by YVAS. Subsequent annual fees shall be adjusted by the CPI-Urban for the Western Region based on U.S. Bureau of Labor Statistics Consumer Price Index, West Region figures, and an evaluation of the expenses incurred by YVAS based on the number of dogs needing boarding services annually.

**Other Fees:**

1. In addition to all other fees, if Yellowstone County Animal Control (YCAC) brings ten (10) or more animals into the shelter from any one given situation, YCAC will pay an additional fee of \$300 to the YVAS as emergency funding for each group of ten (10) animals.
2. In addition to the foregoing, YCAC will pay YVAS the cost of additional veterinary services for any impounded animal authorized by the YCAC and not paid by the owner.

Additional fees will be invoiced to YCAC upon occurrence.

1. For impounded animals, YVAS may collect daily boarding/reclaim fees from the owner at the time the animal is reclaimed. The boarding and reclaim fees will be set by YVAS.

**Term:**

The term of this Agreement shall be for one calendar year commencing upon the date of its execution by the parties.

**Termination:**

Either party may terminate this agreement by providing the other with a written notice of intent to terminate at least ninety (90) days in advance of the termination date. Said notice shall be in writing and delivered to the other party.

## Scope of Work:

Yellowstone Valley Animal Shelter is located at 1735 Monad Rd, Billings, MT 59101. At this location, the shelter has 50 indoor dog kennels and is open to the public 6 days/week: Monday - Sunday, except Wednesday. The shelter is staffed 365/year. Hours open to the public are 12 pm - 7 pm on weekdays and 12 pm - 5 pm on weekends. The shelter has law enforcement/animal control access 24/7 through the main entrance of the building using a specialized key fob. Animals can easily be kenneled through this access point and intake will be completed by YVAS staff the following morning at 8 am. These kennels are in a temperature-controlled room and kennels are set up with water and blankets for the animals brought in overnight.

Yellowstone Valley Animal Shelter has provided animal sheltering, boarding, and adoption services for 11 years in the City of Billings. For the last 2 years, YVAS has taken in 1,700 dogs annually.

YVAS has a staff of 18 employees, including a full-time veterinarian. Veterinary care for stray dogs will be limited to shock and pain management when necessary. Extended medical care will be provided upon authorization from the County Sheriff or designee.

YVAS will board stray dogs for 72 hours while working to reunite and locate owners, or after an authorized extended stay whichever time frame applies. If an owner cannot be located or the dogs are abandoned, YVAS will claim custody and the dogs will be evaluated for adoption. YVAS will attempt to locate owners through the following and at times more:

1. Scanning for microchips
2. Searching Lost and Found pages on Facebook
3. Listing all lost dogs on the YVAS website (average of 200 website visits daily)
4. Collecting lost dog reports from owners in-person, over the phone, and online.

## Qualifications and Reporting:

YVAS has competent, qualified, and capable staff. The Canine Lead and Stray Canine Lead, collectively have 14 years of experience in animal sheltering. The Shelter Veterinarian has been in practice for 15 years and has a DVM from Washington State University.

YVAS has excellent animal outcomes provided below:

### 2019

Canine intake- 1,853  
Return to owner- 904 (49%)  
Adopted- 680 (37%)  
Live release rate- 94%

### 2020

Canine intake- 1,641  
Return to owner- 736 (45%)  
Adopted- 566 (34%)  
Live release rate- 93%

Dogs boarded at YVAS have access to large play yards and are taken out twice daily for enrichment during their stay at the shelter. In addition to outside play, dogs are provided daily enrichment activities in the kennels. Dogs are provided grain-free food twice daily and will be



vaccinated on intake to protect the dog from infectious diseases and maintain overall health and wellness during their stay.

YVAS also had a robust and experienced foster program for animals that are too sick, injured, or too young for adoption. In 2019, close to 500 animals were sent out to foster care and then subsequently adopted at the shelter when they were ready.

In addition to animal sheltering services, YVAS provides low-cost spay and neuter services to Billings and the surrounding communities. On average YVAS alters 600/year for the public resulting in a reduction of unwanted litters being born to the community. YVAS intends to work with the Sheriff's Department to identify more persons in need of these services.

A Certificate of Insurance and proof of Workers Compensation will be provided upon award of the contract.

**Contact:**

All questions and contact regarding this submission can be directed to:

Yellowstone Valley Animal Shelter  
Attn: Triniti Chavez, Executive Director  
PO Box 20920  
Billings, MT 59104  
[triniti.chavez@yvas.org](mailto:triniti.chavez@yvas.org)  
406-294-1136

**B.O.C.C. Regular**

Agenda Item 1. c.

**Meeting Date:** 01/05/2021

**Title:** VAWA Grant - Signature Page

**Submitted By:** Anna Ullom, Accountant

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**TOPIC:**

VAWA Grant Signature Page

**BACKGROUND:**

VAWA Grant Signature Page

**RECOMMENDED ACTION:**

Sign.

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**Attachments**

VAWA Signature Page

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## Signature Page

***The officials who sign this document agree to adhere to all terms and conditions relating to this application. Duplication of responsibilities by one individual for any position listed below is NOT acceptable. Electronic and stamped signatures are not acceptable.***

***A change in any of these positions requires submission of a new signature page with ALL signers.***

Original Signatures are Required			
<b>A. Official Budget Representative</b> <i>Must be a person with budget-setting authority (i.e. City/County Commissioner, Mayor, Department Head, or President of Board Directors)</i>			
Name	Donald W. Jones	Title	County Commissioner-Chairman
Address	PO Box 35000	City/State/Zip	Billings, MT 59107
Email	djones@co.yellowstone.mt.gov	Telephone	406-256-2701
Date	Click or tap here to enter text.	Signature	
<b>B. Project Director</b> <i>Must be an employee of the applicant agency</i>			
Name	David Carter	Title	Justice of the Peace
Address	PO Box 35032	City/State/Zip	Billings, MT 59107
Email	dacarter@co.yellowstone.mt.gov	Telephone	406-896-3595
Date	Click or tap here to enter text.	Signature	
<b>C. Financial Officer</b>			
Name	Jennifer Jones	Title	Assistant Finance Director
Address	316 N 26th St #32401	City/State/Zip	Billings, MT 59101
Email	jjones@co.yellowstone.mt.gov	Telephone	406-256-2816
Date	Click or tap here to enter text.	Signature	

**B.O.C.C. Regular**

Agenda Item 2.

**Meeting Date:** 01/05/2021

**Title:** Request to Extend Abandonment Deadline of Carter Avenue for 1 Year

**Submitted By:** Mike Black

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**TOPIC:**

Request to Extend Abandonment Deadline of Carter Avenue for 1 Year

**BACKGROUND:**

n/a

**RECOMMENDED ACTION:**

Allow 1 Year Extension

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**Attachments**

Letter Request to Extend Deadline

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608 North 29<sup>th</sup> Street • Billings, MT 59101 • 406-384-0080

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December 30, 2020

Mr. Mike Black  
Yellowstone County Public Works  
316 North 26<sup>th</sup> Street  
Billings, MT 59101

***RE: Boyce Smith – Sanford Subdivision ROW Abandonment Extension***

Dear Mr. Black:

Following our conversation yesterday regarding finalization of the ROW abandonment within the Sanford Subdivision for Boyce Smith I'm formally requesting a 12-month extension to complete the process. We've completed the majority of the work, including the plat and petition but need additional time to complete the filing and RSID adjustments. We see no issue in completing the final components within the coming months to finalize the process. We appreciate your consideration and look forward to working with the County to complete the process. If you have any questions please do not hesitate to call should you have any questions at 406-384-0080 or through email at [scott@performance-ec.com](mailto:scott@performance-ec.com).

Best Regards,

A handwritten signature in black ink, appearing to read 'Scott Aspenlieder', written over a horizontal line.

Scott Aspenlieder, PE  
Project Manager

**B.O.C.C. Regular**

Agenda Item 3.

**Meeting Date:** 01/05/2021

**Title:** PAR

**Submitted By:** Teri Reitz, Board Clerk

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**TOPIC:**

**PERSONNEL ACTION REPORT - Sheriff's Office - 1 Termination; County Attorney - 1 Appointment, 1 Termination**

**BACKGROUND:**

See attached.

**RECOMMENDED ACTION:**

Approve.

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**Attachments**

PAR

PARS

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DEC 23 2020

YELLOWSTONE COUNTY  
PERSONNEL ACTION REPORT

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: HADLEY, ROBERT Effective Date: 12/27/2020

Current Title: DEPUTY SHERIFF/DIFF Gr.      Salary \$ 27.45/HR

Title Change:                      Gr.      Salary \$             

Check as Applicable:

Regular Full Time: XX

Regular Part Time:     

Temp Full Time:     

Temp Part Time:     

Seasonal Hire:     

Replaces position  
Name                     

New Budgeted Position     

Other:     

Reclassification:     

Funding: 2300 - 132 - 420150

- 111

Percent 100 New Account     

Percent      Split Account     

A. B. H.  
Elected Official/Department Head

12/22/2020

Date

Section 2

Human Resources:

Finance:

Note:     

Note:     

      
Director

Kevin Snyda 12/23/20  
Date

H.R. Comments:     

Director

Date

Commissioner's Action  
Approve Disapprove

Date entered in payroll       
Clerk & Recorder - original  
Human Resources - canary  
Auditor - pink  
Department - goldenrod

Chair     

Member     

Member

DEC 29 2020

YELLOWSTONE COUNTY  
PERSONNEL ACTION REPORT

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: Chandler Duss Effective Date: 1/15/2021  
 Current Title: Deputy Assistant Gr.     Salary \$ 18.91/hour  
 Title Change:                      Gr.     Salary \$           

Check as Applicable:

Regular Full Time: X New Hire:             
 Regular Part Time:            Rehire:             
 Temp Full Time:            Termination: X  
 Temp Part Time:            Promotion:             
 Seasonal Hire:            Transfer:             
 Replaces position            Demotion:             
 Name                       
 New Budgeted Position           

Other:           

Reclassification:           

Funding: 2301-122-41100 - III Percent            New Account             
           -            -            Percent            Split Account             
           12/23/20 Date             
 Elected Official/Department Head           

Section 2

Human Resources:           

Finance:           

Note:            Note:             
           Director            Director             
           Date            Date           

H.R. Comments:           

Commissioner's Action  
Approve Disapprove

Chair           

Date entered in payroll           

Clerk & Recorder - original           

Human Resources - canary           

Auditor - pink           

Department - goldenrod



DEC 29 2020

*MS*

YELLOWSTONE COUNTY  
PERSONNEL ACTION REPORT

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: James Woods Effective Date: 1/11/2021  
 Current Title: Legal Assistant Gr. E Salary \$ 18.08/hour  
 Title Change: \_\_\_\_\_ Gr. \_\_\_\_\_ Salary \$ \_\_\_\_\_

Check as Applicable:

Regular Full Time: \_\_\_\_\_ New Hire: X  
 Regular Part Time: \_\_\_\_\_  
 Temp Full Time: \_\_\_\_\_ Rehire: \_\_\_\_\_  
 Temp Part Time: \_\_\_\_\_ Termination: \_\_\_\_\_  
 Seasonal Hire: \_\_\_\_\_ Promotion: \_\_\_\_\_  
 Replaces position \_\_\_\_\_ Transfer: \_\_\_\_\_  
 Name Sage Vaca \_\_\_\_\_ Demotion: \_\_\_\_\_  
 New Budgeted Position \_\_\_\_\_

Other: \_\_\_\_\_

Reclassification: \_\_\_\_\_

Funding: 2301 - 122 - 41100 - 111 Percent \_\_\_\_\_ New Account \_\_\_\_\_  
 \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Percent \_\_\_\_\_ Split Account \_\_\_\_\_

Elected Official/Department Head \_\_\_\_\_ Date 12/22/20

Section 2

Human Resources: \_\_\_\_\_

Finance: \_\_\_\_\_

Note: R45 FOLLOWED TJK

Note: \_\_\_\_\_

JA 12/24/20  
 Director Date

Kevin Bupa 12/29/20  
 Director Date

H.R. Comments: \_\_\_\_\_

Commissioner's Action  
 Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

Chair \_\_\_\_\_

Date entered in payroll \_\_\_\_\_

Clerk & Recorder - original \_\_\_\_\_

Human Resources - canary \_\_\_\_\_

Auditor - pink \_\_\_\_\_

Department - goldenrod \_\_\_\_\_

**B.O.C.C. Regular**

Agenda Item 1.

**Meeting Date:** 01/05/2021

**Title:** Release and Settlement of All Claims

**Submitted By:** Teri Reitz, Board Clerk

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**TOPIC:**

Release and Settlement of All Claims

**BACKGROUND:**

See attached.

**RECOMMENDED ACTION:**

Place to file.

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**Attachments**

Release and Settlement of All Claims

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## **RELEASE AND SETTLEMENT OF ALL CLAIMS**

**RELEASOR:** The Estate of Michael Ostby personal representatives and Nicole Hale, Joe Ostby and Cassandra Ostby individually.

**RELEASEE:** Yellowstone County, Yellowstone County Board of County Commissioners and the agents, servants, present and past employees, successors, heirs, directors, members of all Boards and assigns of Yellowstone County.

**CLAIM:** UNITED STATES DISTRICT COURT, CAUSE NO. CV 17-124-BLG-SPW-TJC and UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT NO. 20-35753.

The parties to this Release have engaged in settlement negotiations. Pursuant to these negotiations, settlement has been reached between the Estate of Michael Ostby et. al, Releasor, and Yellowstone County, et al, Releasee.

**SUM OF SETTLEMENT:** \$156,000.00 (one hundred and fifty-six thousand dollars) total for full release, as indicated in the Occurrence Section of this document.

### **1. OCCURRENCE**

Pursuant to a Complaint and Jury Demand filed on or about June 30, 2017 by Releasor referenced above, Releasor made various claims for civil rights violations against Yellowstone County. These claims included, but were not limited to negligence, and federal constitutional claims. The Complaint stemmed from the suicide of Michael Ostby at the Yellowstone County Detention Facility on July 01, 2015.

Releasor acknowledges receipt of the above sum of money and for payment of such sum fully and forever releases and discharges Releasee, Releasee's successors, assigns, agents, partners, officers, employees, former employees, and attorneys from any and all actions, claims, causes of action, demands, or expenses for claimed damages for lost wages and other injury, whether asserted or unasserted, known or unknown, foreseen or unforeseen, arising out of the claims as alleged in the above-referenced Complaint.

### **2. FUTURE DAMAGES**

Inasmuch as any damages and losses resulting from the events described herein may not be fully known and may be more serious than it is now understood or expected, Releasor individually agrees, as a further consideration of this agreement, that this Release applies to any and all damages and losses resulting from the allegations against Releasee described herein, even though now unanticipated, unexpected and unknown, as well as any and all damages and losses which have already developed and which are now known or anticipated.

### 3. EXTENT OF LIABILITY

It is understood and agreed that this settlement is the compromise of disputed claims and that the above-mentioned sum is accepted as the sole consideration for full satisfaction and accord of these claims. Payment made under this settlement is not to be construed as an admission of liability on the part of the party or parties hereby released, and that said Releasee disputes the claims and therefore intends merely to avoid litigation and buy their peace.

### 4. NO ADDITIONAL CLAIMS

Releasor represents that no additional claims are contemplated against any other party potentially liable for the losses, damages and injuries for which this Release is given. In the event any additional claim is made which directly or indirectly results in additional liability exposure to Releasee for the losses, injuries and damages for which this Release is given, Releasor covenants and agrees to indemnify and hold Releasee harmless from all such claims and demands, including reasonable attorney's fees and all other expenses necessarily incurred.


### 5. DISCLAIMER

Releasor has carefully read the forgoing, understands the contents thereof, and signs the same of Releasor's own free will and accord. This Release shall be binding upon Releasor, heirs, successors, personal representatives and assigns.

### 6. TAXABILITY OF BENEFITS

Releasee makes no warranty, representation, or promise, in any respect, with respect to the taxability of the sums which have been or will be received by Releasor. It is hereby expressly understood and agreed that Releasor is fully and exclusively responsible for complying with the tax laws of the United States or any state and that Releasor shall make no claim or demand in the future upon Releasee in any respect, including the issue of taxability of the benefits to be paid hereunder.

### 7. CONFIDENTIAL AGREEMENT

The parties agree that no part of this agreement can be confidential and that the original Release will be kept on file as a public document in the office of the Yellowstone County Clerk and Recorder. ~~Releasee agrees that it will not however publicize in the media, the courts, informally or in any way, the facts of this case, the facts of settlement or the amount and terms of settlement as set forth in this agreement. However,~~ Releasee may disclose such information as it is required to disclose under applicable laws and regulations. 

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Dated this 9 day of December, 2020.

**CAUTION! READ BEFORE SIGNING**

Nicole Hale

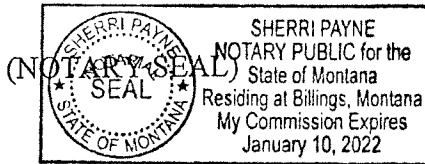
Nicole Hale, individually and as personal representative of  
the Estate of Michael Ostby

STATE OF Montana )

County of Yellowstone : ss. )

On this 9<sup>th</sup> day of December, 2020, before me, a notary public for  
the State of Montana, personally appeared Nicole Hale, known to me to be named in  
the foregoing Release, and acknowledged to me that she has voluntarily executed the Release.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day  
and year in this certificate first above written.



Sherrri Payne  
\_\_\_\_\_  
Notary Public for the State of \_\_\_\_\_  
Residing at: \_\_\_\_\_  
My Commission expires: \_\_\_\_\_

Dated this 9 day of December, 2020.

**CAUTION! READ BEFORE SIGNING**



Joe Ostby, individually and as personal representative of  
the Estate of Michael Ostby

STATE OF North Dakota )

: ss.

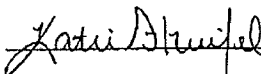
County of Burleigh )

On this 9<sup>th</sup> day of December, 2020, before me, a notary public for the State  
of North Dakota, personally appeared Joe Ostby, known to me to be named in the  
foregoing Release, and acknowledged to me that she has voluntarily executed the Release.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year  
in this certificate first above written.

(NOTARY SEAL)

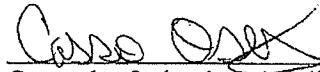
KATIE STREIFEL  
Notary Public  
State of North Dakota  
My Commission Expires April 10, 2024



Notary Public for the State of North Dakota  
Residing at: 204 W Thayer Ave Bismarck ND 58501  
My Commission expires: 4/10/24

Dated this 12 day of December, 2020.

**CAUTION! READ BEFORE SIGNING**



Cassandra Ostby, individually as a personal representative  
of the Estate of Michael Ostby

STATE OF \_\_\_\_\_ )  
: ss.  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2020, before me, a notary public for the State  
of \_\_\_\_\_, personally appeared Cassandra Ostby, known to me to be named in the  
foregoing Release, and acknowledged to me that she has voluntarily executed the Release.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year  
in this certificate first above written.

(NOTARY SEAL)

\_\_\_\_\_  
Notary Public for the State of \_\_\_\_\_  
Residing at: \_\_\_\_\_  
My Commission expires: \_\_\_\_\_